

- (5) eye movement abnormalities;
- (6) difficulty walking;
- (7) tremors;
- (8) trouble eating and swallowing;
- (9) difficulties with other activities that require fine motor skills; and
- (10) death;

Whereas most patients with ataxia require the use of assistive devices, such as wheelchairs and walkers, to aid in their mobility, and many individuals may need physical and occupational therapy;

Whereas there is no treatment or cure approved by the Food and Drug Administration for ataxia; and

Whereas clinical research to develop safe and effective treatments for ataxia is ongoing; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the need for greater public awareness of ataxia;

(2) expresses support for the designation of September 25, 2022, as “National Ataxia Awareness Day”;

(3) supports the goals of National Ataxia Awareness Day, which are—

(A) to raise awareness of the causes and symptoms of ataxia among the general public and health care professionals;

(B) to improve the diagnosis of ataxia and access to care for patients affected by ataxia; and

(C) to accelerate ataxia research, including on safe and effective treatment options and, ultimately, a cure;

(4) acknowledges the challenges facing individuals in the United States who have ataxia and the families of those individuals; and

(5) encourages States, territories, and localities to support the goals of National Ataxia Awareness Day.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 6493. Mr. RUBIO (for himself, Mr. CRUZ, Mrs. BLACKBURN, and Mr. HAWLEY) submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table.

SA 6494. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6495. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6496. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6497. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6498. Mr. CASSIDY submitted an amendment intended to be proposed to

amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6499. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6500. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6501. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 6482 submitted by Mr. LEE (for himself, Mr. CRAPO, Mr. CRUZ, Mr. GRAHAM, Mr. HAWLEY, Mr. MARSHALL, Mr. PAUL, Mr. SASSE, Mr. THUNE, Mr. WICKER, Mr. RISCH, Mr. BRAUN, Mr. JOHNSON, and Mr. SCOTT of Florida) and intended to be proposed to the bill H.R. 8404, supra; which was ordered to lie on the table.

SA 6502. Mr. VAN HOLLEN (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 5796, to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes.

#### TEXT OF AMENDMENTS

SA 6493. Mr. RUBIO (for himself, Mr. CRUZ, Mrs. BLACKBURN, and Mr. HAWLEY) submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

Section 1738C of title 28, United States Code, as added by section 4, is amended by striking subsections (c) and (d) and inserting the following:

“(c) STATE DEFINED.—In this section, the term ‘State’ has the meaning given such term under section 7 of title 1.”

SA 6494. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, beginning on line 3, strike “No person acting under color of State law” and insert “No State, territory or possession of the United States, or Indian Tribe”

On page 3, line 17, strike “person” and insert “State, territory or possession of the United States, or Indian Tribe”.

On page 3, strike lines 19 through 23.

On page 5, strike line 20 and all that follows through page 6, line 3, and insert the following:

(a) NO IMPACT ON BENEFITS, STATUS, OR RIGHTS.—Nothing in this Act, or any amendment made by this Act, shall be construed to

deny or alter any benefit, status, or right (including tax-exempt status, tax treatment, educational funding, or a grant, contract, agreement, guarantee, loan, scholarship, license, certification, accreditation, claim, or defense) of any entity or person—

(1) if such benefit, status, or right does not arise from a marriage; or

(2) if such potential denial or alteration would be based in whole or in part on the belief, practice, or observance, of the entity or person about marriage.

SA 6495. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, beginning on line 3, strike “No person acting under color of State law” and insert “No State, territory or possession of the United States, or Indian Tribe”

On page 3, line 17, strike “person” and insert “State, territory or possession of the United States, or Indian Tribe”.

On page 3, strike lines 19 through 23.

On page 5, strike line 20 and all that follows through page 6, line 3, and insert the following:

(a) NO IMPACT ON BENEFITS, STATUS, OR RIGHTS.—Nothing in this Act, or any amendment made by this Act, shall be construed to deny or alter any benefit, status, or right (including tax-exempt status, tax treatment, educational funding, or a grant, contract, agreement, guarantee, loan, scholarship, license, certification, accreditation, claim, or defense) of any entity or person—

(1) if such benefit, status, or right does not arise from a marriage; or

(2) if such potential denial or alteration would be based in whole or in part on the belief, practice, or observance, of the entity or person about marriage.

On page 6, between lines 8 and 9, insert the following:

(c) NO IMPACT FROM PARTNERSHIPS.—For purposes of this Act, and any amendment made by this Act, no faith-based organization shall be deemed to be a State, territory or possession of the United States, or Indian Tribe on the basis of any partnership the organization entered into with the State, territory or possession of the United States, or Indian Tribe.

SA 6496. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, beginning on line 3, strike “No person acting under color of State law” and insert “No State, territory or possession of the United States, or Indian Tribe”

On page 3, line 17, strike “person” and insert “State, territory or possession of the United States, or Indian Tribe”.

On page 3, strike lines 19 through 23.

On page 5, strike line 20 and all that follows through page 6, line 3, and insert the following:

(a) NO IMPACT ON BENEFITS, STATUS, OR RIGHTS.—Nothing in this Act, or any amendment made by this Act, shall be construed to

deny or alter any benefit, status, or right (including tax-exempt status, tax treatment, educational funding, or a grant, contract, agreement, guarantee, loan, scholarship, license, certification, accreditation, claim, or defense) of any entity or person—

(1) if such benefit, status, or right does not arise from a marriage; or

(2) if such potential denial or alteration would be based in whole or in part on the belief, practice, or observance, of the entity or person about marriage.

On page 6, between lines 8 and 9, insert the following:

(c) NO IMPACT FROM PARTNERSHIPS.—For purposes of this Act, and any amendment made by this Act, no faith-based organization shall be considered to be acting under color of State law on the basis of any partnership the organization entered into with a government.

**SA 6497.** Mr. COTTON submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

Subsection (a) of section 1738C of title 28, United States Code, as added by section 4, is amended by striking “No person acting under color of State law” and inserting “No State, territory, or possession of the United States or Indian tribe”.

**SA 6498.** Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

## **TITLE II—RELIGIOUS BELIEFS AND MORAL CONVICTIONS**

### **SEC. 201. PROHIBITION AGAINST DISCRIMINATION OR SEGREGATION IN PLACES OF PUBLIC ACCOMMODATION.**

(a) PLACES OF PUBLIC ACCOMMODATION.—Section 201 of the Civil Rights Act of 1964 (42 U.S.C. 2000a) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (6); and

(C) by inserting after paragraph (3) the following:

“(4) any store, facility in a shopping center, or online retailer or provider of online services that has 1 or more employees in the current or preceding calendar year;

“(5) a social media platform provider; and”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraph (1)” and inserting “paragraph (1) or (5)”;

(B) in paragraph (3), by striking “and” at the end;

(C) in paragraph (4), by striking “paragraph (4)” and inserting “paragraph (6)”;

(D) by redesignating paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following: “(4) in the case of an establishment described in paragraph (4) of subsection (b), it sells or offers to sell a product or service that moves, or has moved, in commerce; and”;

(3) by adding at the end the following:

“(f) The provisions of this title shall not apply to a religious institution, including place of worship, religious camp, or religious school.

“(g) For purposes of this title:

“(1) The term ‘online retailer or provider of online services’ means a commercial business, acting through a web page that invites the general public to purchase a good or service by use of a credit card or similar payment device over the internet, that provides content for the web page. The term does not mean a commercial business, acting through a web page that gives information, including information on quality, price, or availability, about a good or service but does not permit such purchase directly from the web page.

“(2) The term ‘social media platform provider’ means the provider of a public website or internet application, including a mobile internet application, social network, video sharing service, advertising network, mobile operating system, search engine, email service, or internet access service, that promotes users posting content and others consuming that content.”.

(b) EXCEPTION.—Title II of the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.) is amended by adding at the end the following:

#### **“SEC. 208. EXCEPTION FOR SMALL BUSINESSES.**

“(a) DEFINITION.—In this section, the term ‘small business’ means an employer who does not have 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year.

“(b) EXCEPTION.—No small business shall be required, under this title or any other Federal, State, or local law, to provide a service related to a marriage of individuals of the same sex, if the small business declines to provide the service in accordance with a sincerely held religious belief, or moral conviction, that marriage is or should be recognized as a certain type of union. For purposes of this subsection, services related to marriage include services for any ceremony or related celebration of the marriage.”.

#### **SEC. 202. DETERMINATION OF TAX-EXEMPT STATUS MADE WITHOUT REGARD TO RELIGIOUS BELIEFS.**

Section 501(c)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking “Corporations” and inserting the following:

“(A) IN GENERAL.—Corporations”, and

(2) by adding at the end the following new subparagraph:

“(B) DETERMINATION MADE WITHOUT REGARD TO RELIGIOUS BELIEFS.—

“(i) IN GENERAL.—Any determination whether an organization is organized or operated exclusively for religious, charitable, scientific, literary, or educational purposes or complies with legal standards of charity shall be made without regard to the organization’s religious beliefs or practices concerning the validity of marriages between individuals of the same sex.

“(ii) RELIGIOUS.—For purposes of this paragraph, the term ‘religious’ includes all aspects of religious belief, observance, and practice, whether or not compelled by, or central to, a system of religion.”.

#### **SEC. 203. CHILD WELFARE PROVIDER INCLUSION ACT.**

(a) SHORT TITLE OF SECTION.—This section may be cited as the “Child Welfare Provider Inclusion Act of 2022”.

(b) PURPOSES.—The purposes of this section are as follows:

(1) To prohibit governmental entities from discriminating or taking an adverse action against a child welfare service provider on the basis that the provider declines to provide a child welfare service that conflicts, or under circumstances that conflict, with the sincerely held religious beliefs or moral convictions of the provider.

(2) To protect child welfare service providers’ exercise of religion and to ensure that governmental entities will not be able to force those providers, either directly or indirectly, to discontinue all or some of their child welfare services because they decline to provide a child welfare service that conflicts, or under circumstances that conflict, with their sincerely held religious beliefs or moral convictions.

(3) To provide relief to child welfare service providers whose rights have been violated.

#### **(c) DISCRIMINATION AND ADVERSE ACTIONS PROHIBITED.—**

(1) IN GENERAL.—The Federal Government, and any State that receives Federal funding for any program that provides child welfare services under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 671 et seq.) (and any subdivision, office or department of such State) shall not discriminate or take an adverse action against a child welfare service provider on the basis that the provider has declined or will decline to provide, facilitate, or refer for a child welfare service that conflicts with, or under circumstances that conflict with, the provider’s sincerely held religious beliefs or moral convictions.

(2) LIMITATION.—Paragraph (1) does not apply to conduct forbidden by paragraph (18) of section 471(a) of such Act (42 U.S.C. 671(a)(18)).

(d) FUNDS WITHHELD FOR VIOLATION.—The Secretary of Health and Human Services shall withhold from a State 15 percent of the Federal funds the State receives for a program that provides child welfare services under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 671 et seq.) if the State violates subsection (c) when administering or disbursing funds under such program.

#### **(e) PRIVATE RIGHT OF ACTION.—**

(1) IN GENERAL.—A child welfare service provider aggrieved by a violation of subsection (c) may assert that violation as a claim or defense in a judicial proceeding and obtain all appropriate relief, including declaratory relief, injunctive relief, and compensatory damages, with respect to that violation.

(2) ATTORNEYS’ FEES AND COSTS.—A child welfare service provider that prevails in an action by establishing a violation of subsection (c) is entitled to recover reasonable attorneys’ fees and costs.

(3) WAIVER OF SOVEREIGN IMMUNITY.—By accepting or expending Federal funds in connection with a program that provides child welfare services under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 671 et seq.), a State waives its sovereign immunity for any claim or defense that is raised under this subsection.

(f) SEVERABILITY.—If any provision of this section, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this section and the application of the provision to any other person or circumstance shall not be affected.

#### **(g) EFFECTIVE DATE.—**

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the 1st day of the 1st fiscal year beginning on or after the date of the enactment of

this section, and the withholding of funds authorized by subsection (d) shall apply to payments under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 671 et seq.) for calendar quarters beginning on or after such date.

(2) **EXCEPTION.**—If legislation (other than legislation appropriating funds) is required for a governmental entity to bring itself into compliance with this section, the governmental entity shall not be regarded as violating this section before the 1st day of the 1st calendar quarter beginning after the 1st regular session of the legislative body that begins after the date of the enactment of this section. For purposes of the preceding sentence, if the governmental entity has a 2-year legislative session, each year of the session is deemed to be a separate regular session.

(h) **DEFINITIONS.**—In this section:

(1) **CHILD WELFARE SERVICE PROVIDER.**—The term “child welfare service provider” includes organizations, corporations, groups, entities, or individuals that provide or seek to provide, or that apply for or receive a contract, subcontract, grant, or subgrant for the provision of, child welfare services. A provider need not be engaged exclusively in child welfare services to be considered a child welfare service provider for purposes of this section.

(2) **CHILD WELFARE SERVICES.**—The term “child welfare services” means social services provided to or on behalf of children, including assisting abused, neglected, or troubled children, counseling children or parents, promoting foster parenting, providing foster homes or temporary group shelters for children, recruiting foster parents, placing children in foster homes, licensing foster homes, promoting adoption, recruiting adoptive parents, assisting adoptions, supporting adoptive families, assisting kinship guardianships, assisting kinship caregivers, providing family preservation services, providing family support services, and providing time-limited family reunification services.

(3) **STATE.**—The term “State” means each of the 50 States, the District of Columbia, any commonwealth, territory or possession of the United States, and any political subdivision thereof, and any Indian tribe, tribal organization, or tribal consortium that has a plan approved in accordance with section 479B of the Social Security Act (42 U.S.C. 679c) or that has a cooperative agreement or contract with one of the 50 States for the administration or payment of funds under part B or E of title IV of the Social Security Act.

(4) **FUNDING; FUNDED; FUNDS.**—The terms “funding”, “funded”, or “funds” include money paid pursuant to a contract, grant, voucher, or similar means.

(5) **ADVERSE ACTION.**—The term “adverse action” includes, but is not limited to, denying a child welfare service provider’s application for funding, refusing to renew the provider’s funding, canceling the provider’s funding, declining to enter into a contract with the provider, refusing to renew a contract with the provider, canceling a contract with the provider, declining to issue a license to the provider, refusing to renew the provider’s license, canceling the provider’s license, terminating the provider’s employment, or any other adverse action that materially alters the terms or conditions of the provider’s employment, funding, contract, or license.

**SA 6499.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage,

and for other purposes; which was ordered to lie on the table; as follows:

After section 4 of the bill, insert the following:

**SEC. 4A. LIMITS ON RECOGNITION OF CERTAIN MARRIAGES.**

(a) **NO RECOGNITION OR FULL FAITH AND CREDIT FOR POLYGAMOUS MARRIAGES.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to require or authorize Federal recognition of a polygamous marriage;

(B) to give full faith and credit to an act, record, or proceeding pertaining to a polygamous marriage; or

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) **COVERED MARRIAGE.**—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(b) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(c) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

**SA 6500.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 6487 proposed by Mr. SCHUMER (for Ms. BALDWIN (for herself, Ms. COLLINS, Mr. PORTMAN, Ms. SINEMA, Mr. TILLIS, and Ms. LUMMIS)) to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6(b) and insert the following:

(b) **NO RECOGNITION OR FULL FAITH AND CREDIT FOR POLYGAMOUS MARRIAGES.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to require or authorize Federal recognition of a polygamous marriage;

(B) to give full faith and credit to an act, record, or proceeding pertaining to a polygamous marriage; or

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) **COVERED MARRIAGE.**—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(c) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(d) **NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) **STATE DETERMINATION.**—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

**SA 6501.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 6482 submitted by Mr. LEE (for himself, Mr. CRAPO, Mr. CRUZ, Mr. GRAHAM, Mr. HAWLEY, Mr. MARSHALL, Mr. PAUL, Mr. SASSE, Mr. THUNE, Mr. WICKER, Mr. RISCH, Mr. BRAUN, Mr. JOHNSON, and Mr. SCOTT of Florida) and intended to be proposed to the bill H.R. 8404, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes; which was ordered to lie on the table; as follows:

Insert before the title heading for title II the following:

**SEC. \_\_\_\_ LIMITS ON RECOGNITION OF CERTAIN MARRIAGES.**

(a) **NO RECOGNITION OR FULL FAITH AND CREDIT FOR POLYGAMOUS MARRIAGES.**—

(1) **IN GENERAL.**—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to require or authorize Federal recognition of a polygamous marriage;

(B) to give full faith and credit to an act, record, or proceeding pertaining to a polygamous marriage; or

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) COVERED MARRIAGE.—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(b) NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.—

(1) IN GENERAL.—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) STATE DETERMINATION.—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(c) NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.—

(1) IN GENERAL.—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) STATE DETERMINATION.—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

**SA 6502.** Mr. VAN HOLLEN (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 5796, to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Patents for Humanity Act of 2022”.

#### **SEC. 2. AWARD OF CERTIFICATES TO ACCELERATE CERTAIN MATTERS AT THE PATENT AND TRADEMARK OFFICE.**

(a) AWARD.—Chapter 2 of title 35, United States Code, is amended by adding at the end the following:

##### **“§ 28. Award of certificates to accelerate certain matters at the Patent and Trademark Office**

“(a) DEFINITION.—In this section, the term ‘eligible entity’ means an entity that—

“(1) submits an application under subsection (d) for a patent that addresses a humanitarian issue; and

“(2) meets the requirements specified by the Director.

“(b) ESTABLISHMENT.—There is established a competition, to be held not less frequently than biennially, to award eligible entities certificates that can be redeemed to accelerate one of the following matters:

“(1) An ex parte reexamination proceeding, including 1 appeal to the Patent Trial and Appeal Board from that proceeding.

“(2) An application for a patent, including 1 appeal to the Patent Trial and Appeal Board from that application.

“(3) An appeal to the Patent Trial and Appeal Board of a claim twice rejected in a patent application or reissue application or finally rejected in an ex parte reexamination, without accelerating the underlying matter that generated the appeal.

“(4) A matter identified by the Director.

“(c) ADMINISTRATION.—The Director shall administer the competition established under subsection (b).

“(d) APPLICATION.—An entity seeking an award under subsection (b) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) PROMOTION OF COMPETITION.—The Director shall promote the competition established under subsection (b) through the satellite offices established pursuant to section 1.

“(f) TREATMENT AS SUCCESSOR.—The competition established under subsection (b) shall be treated as a successor to the Patents for Humanity Program (established in the notice entitled ‘Humanitarian Awards Pilot Program’, published at 77 Fed. Reg. 6544 (February 8, 2012)).”

(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, may be construed as affecting any action taken by the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office before the date of enactment of this Act with respect to the administration of the Patents for Humanity Program established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“28. Award of certificates to accelerate certain matters at the Patent and Trademark Office.”.

The PRESIDING OFFICER. The Senator from Maryland.

#### **PATENTS FOR HUMANITY ACT OF 2021**

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 5796 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5796) to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. VAN HOLLEN. I ask unanimous consent that the Leahy substitute amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6502), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Patents for Humanity Act of 2022”.

#### **SEC. 2. AWARD OF CERTIFICATES TO ACCELERATE CERTAIN MATTERS AT THE PATENT AND TRADEMARK OFFICE.**

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“(c) ADMINISTRATION.—The Director shall administer the competition established under subsection (b).

“(d) APPLICATION.—An entity seeking an award under subsection (b) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) PROMOTION OF COMPETITION.—The Director shall promote the competition established under subsection (b) through the satellite offices established pursuant to section 1.

“(f) TREATMENT AS SUCCESSOR.—The competition established under subsection (b) shall be treated as a successor to the Patents for Humanity Program (established in the notice entitled ‘Humanitarian Awards Pilot Program’, published at 77 Fed. Reg. 6544 (February 8, 2012)).”

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(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“28. Award of certificates to accelerate certain matters at the Patent and Trademark Office.”.

The amendment was ordered to be engrossed and the bill to be read a third time.